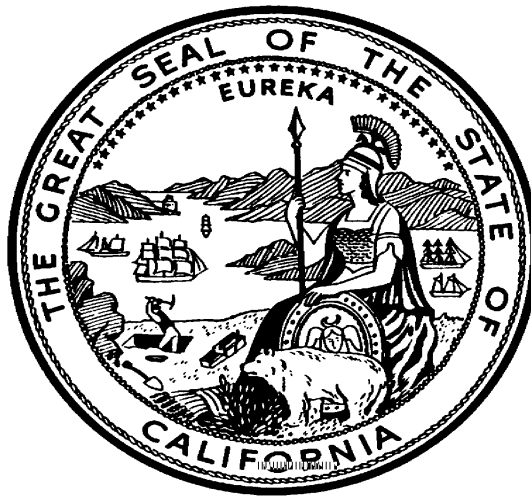


PHYSICAL THERAPY NEVER INCLUDES SEX



Physical Therapy Board of California
2005 Evergreen Street, Suite 1350
Sacramento, CA 95815
(916) 561-8200
FAX (916) 263-2560
Internet: www.ptb.ca.gov

PATIENT BILL OF RIGHTS

You have the right to:

- \$ Request and receive full information about the physical therapy provider's professional capabilities, including licensure, education, training, experience, professional association membership, specialization, and limitations.
- \$ Have written information about fees, method of payment, insurance reimbursement, number of sessions, substitutions (in cases of vacation and emergencies), and cancellation policies before beginning therapy.
- \$ Receive respectful treatment that will be helpful to you.
- \$ A safe environment, free from sexual, physical, and emotional abuse.
- \$ Ask questions about your therapy.
- \$ Refuse to answer any question or disclose any information you choose not to reveal.
- \$ Request that the physical therapy provider inform you of your progress.
- \$ Know the limits of confidentiality and the circumstances in which a physical therapy provider is legally required to disclose information to others.
- \$ Know if there are supervisors, consultants, students, or others with whom your physical therapy care provider will discuss your case.
- \$ Refuse a particular type of treatment or end treatment without obligation or harassment.
- \$ Request and (in most cases) receive a summary of your file, including the diagnosis, your progress, and type of treatment.
- \$ Report unethical and illegal behavior by a physical therapy care provider.
- \$ Receive a second opinion at any time about your physical therapy or the physical therapy care provider's methods.
- \$ Request the transfer of a copy of your file to any physical therapy care provider or agency you choose. (Request a copy of the brochure titled "*A Patient's Right to their Physical Therapy Records*").

INTRODUCTION

Physical therapy **never** includes sex. It also never includes verbal sexual advances or any **other** kind of sexual contact or behavior. Sexual contact of any kind in the course of a physical therapy treatment is illegal and unethical. Harm may arise from the exploitation of the patient by the physical therapy provider to fulfill his or her own needs or desires, as well as from the physical therapy provider's loss of objectivity necessary for effective physical therapy. All physical therapy providers are trained and educated to know that this kind of behavior is inappropriate and can result in license revocation.

By the nature of their profession, physical therapy providers are trusted and respected, and it is normal for patients to feel attracted to someone who is attentive, kind and caring. However, a physical therapy provider who accepts or encourages these normal feelings in a sexual way, is using the trusted physical therapy relationship to take advantage of the patient.

Many people who endure this kind of abusive behavior from physical therapy providers suffer harmful long-lasting emotional and psychological effects. Family life and friendships are often disrupted, sometimes ruined.

ACCORDING TO CALIFORNIA LAW

Section 2660.1 of the Business and Professions Code states:

"A patient, client, or customer of a licensee under this chapter is conclusively presumed to be incapable of giving free, full, and informed consent to any sexual activity which is a violation of Section 726." Violations of section 726 by a physical therapy provider include sexual abuse, sexual misconduct, and sexual relations with a patient.

- \$ Sexual contact, asking for sexual contact, or other sexual misconduct by a physical therapy provider with a patient is illegal, as well as unethical.

WARNING SIGNS

In most sexual abuse or exploitation cases, other inappropriate behavior comes first. While it may be subtle or confusing, it usually feels uncomfortable to the patient. Some clues or warning signs are:

- Telling sexual jokes or stories.
- "Making eyes at" or giving seductive looks to the patient.
- Discussing the physical therapy provider's sex life or relationships excessively.

- Sitting too close, initiating hugging or holding of the patient, or lying next to the patient.

Another warning sign is when physical therapy providers give patients “special” treatment, such as:

- Inviting a patient to lunch, dinner, or other social activities.
- Dating.
Changing any of the office’s normal business practices (for example, scheduling late appointments so no one is around, having sessions away from the office, etc.).
Confiding in a patient (for example, about the physical therapy provider’s love life, work problems, etc.)
- Telling a patient that he or she is special: that the physical therapy provider loves him or her.
- Relying on a patient for personal and emotional support.
- Giving or receiving significant gifts.
- Providing or using alcohol (or drugs) during sessions.

Signs of inappropriate behavior and misuse of power include:

- Hiring a patient to do work for the physical therapy provider, or bartering goods or services for pay for physical therapy.
- Any violation of the patient’s rights as a consumer (see Patient Bill of Rights included in this brochure.)

What If It’s Me?

If you have been sexually abused or exploited by your physical therapy provider, you may be feeling very confused. You may feel:

- \$ Guilty and responsible, even though it’s the **physical therapy provider’s** responsibility to keep sexual behavior out of physical therapy.
- \$ Mixed feelings about the physical therapy provider, protectiveness, anger, love, betrayal.
- \$ Isolated and empty.
- \$ Distrustful of others or your own feelings.
- \$ Fearful that no one will believe you or understand what happened, or that someone will find out.
- \$ Confused about dependency, control, and power.
- \$ Numb.

You may even have nightmares, obsessive thoughts, depression, or suicidal or homicidal thoughts. You may feel overwhelmed as you try to decide what to do or whom to tell.

It’s essential that you face what happened. This may be painful, but it is the first major step in healing and recovering from the experience. You may have both positive and negative feelings at the same time, such as starting to feel personal control, being afraid of what may happen in the future, remembering the experience, and feeling relieved that the sexual relations are over.

The second step in the healing process is to decide what YOU want to do next. Try to be open-minded about your options.

Please remember: **It doesn’t matter** if you, the patient, started or wanted the sexual involvement with the physical therapy provider. Physical therapy providers are responsible for keeping sexual intimacy out of the physical therapy relationship and are trained to know how to handle a patient’s sexual attractions and desires.

WHERE TO START

You may need to (1) talk to someone who will understand what you’re going through, (2) get information on whether the physical therapy provider’s behavior was illegal and/or unethical, and (3) find out what you can do about it. Two places to get help are:

- \$ Physical Therapy Board of California – The Board can give general information in appropriate behavior for physical therapy providers and your rights for reporting what happened, as well as how to file a complaint with them (Request a copy of the complaint form and the brochure titled “*How Complaints are Handled*”). See front cover of this brochure for address and telephone number.
- \$ Sexual Assault/Crisis Centers - These centers have staff trained in all types of sexual abuse and exploitation. They can provide general information on appropriate behavior for physical therapy care providers, crisis services, your rights for reporting what happened, and names of therapists and support groups that may be helpful. Numerous centers are located through out California. Look in your telephone book under “sexual assault center” or crisis intervention service.”

REPORTING OPTIONS

If you decide to report a physical therapy care provider's unethical and illegal behavior, there are three different ways to do so. Each option has both strong and weak points. You may choose any one or all of these options.

\$ Administrative action - You may file a complaint with the Physical Therapy Board of California. (See the front of the brochure for the Board's address and telephone number to request a complaint form or you may send a letter.)

\$ Civil action - File a civil lawsuit.

\$ Criminal action - File a complaint with local law enforcement.

There is **no time limit** for reporting a sexual exploitation case to a licensing board. However, it is best to report such conduct as soon as possible